

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

CHAMBERS OF
MICHAEL A. SHIPP
UNITED STATES DISTRICT JUDGE

CLARKSON S. FISHER FEDERAL
BUILDING & U.S. COURTHOUSE
402 EAST STATE STREET
TRENTON, NJ 08608
609-989-2009

Not for Publication

May 4, 2017

LETTER OPINION

VIA CM/ECF

All counsel of record

Re: *Akinsanmi v. Nationstar Mortgage, et al.*
Civil Action No. 16-7732 (MAS) (TJB)

Dear Counsel:

This matter comes before the Court on Plaintiff Lawrence A. Akinsanmi's ("Plaintiff") Motion for Preliminary Injunction. (ECF No. 3.)

When considering injunctive relief applications, the Court must remain mindful that the grant of injunctive relief is "an extraordinary remedy[.]" and "should be granted only in limited circumstances." *Kos Pharms., Inc. v. Andrx Corp.*, 369 F.3d 700, 708 (3d Cir. 2004) (citation omitted). Specifically, a preliminary injunction "should be granted only if '(1) the [movant] is likely to succeed on the merits; (2) denial will result in irreparable harm to the [movant]; (3) granting the injunction will not result in irreparable harm to the [non-movant]; and (4) granting the injunction is in the public interest.'" *NutraSweet Co. v. Vit-Mar Enters., Inc.*, 176 F.3d 151, 153 (3d Cir. 1999) (quoting *Maldonado v. Houstoun*, 157 F.3d 179, 184 (3d Cir. 1998)). Significantly, "more than a risk of irreparable harm must be demonstrated. The requisite for injunctive relief has been characterized as a 'clear showing of immediate irreparable injury,' or a 'presently existing actual threat.'" *Cont'l Grp., Inc. v. Amoco Chems. Corp.*, 614 F.2d 351, 359 (3d Cir. 1980) (citations omitted).

Here, Plaintiff's failure to comply with the Court's Orders in a timely manner militates against the alleged immediacy of his motion for a preliminary injunction. Notably, Plaintiff's Motion for Preliminary Injunction was never even fully briefed due to the procedural posture of this case, which is clear from the docket and will not be set forth herein. As Plaintiff did not make a showing of immediate and irreparable harm, the Court DENIES Plaintiff's Motion for Preliminary Injunction. The Court will issue an Order consistent with this Letter Opinion.

s/ Michael A. Shipp

MICHAEL A. SHIPP

UNITED STATES DISTRICT JUDGE